

IFW 2113

PTO/SB/21 (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7\*\*

Application Number	10/087,000
Filing Date	February 28, 2002
First Named Inventor	Penny C. Leavy
Art Unit	2113
Examiner Name	Philip A. Guyton
Attorney Docket Number	10009.000110

### ENCLOSURES (Check all that apply)

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>PTO SB008A, PTO SB008B, Refs. 1Q, 1R,<br>1S, 1T, 1U, 1V, 1W, 1X, 1Y, Return Postcard |
|---|--|--|

Remarks

\*\*Excluding no. of pages of cited refs.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	De Guzman & Associates, PC		
Signature			
Printed name	Arnold M. de Guzman		
Date	June 23, 2006	Reg. No.	39,955

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Arnold M. de Guzman	Date	June 23, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: ) Confirmation No.:6351  
Penny C. Leavy, et al. )  
Serial No.: 10/087,000 ) Examiner: Philip A. Guyton  
Filed: February 28, 2002 ) Art Unit: 2113  
Title: FAULT INJECTION ) Atty. Docket No.: 10009.000110  
METHODS AND APPARATUS )  
\_\_\_\_\_ )

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT****Under 37 C.F.R. §1.56 and §§1.97-98**

Sir:

Pursuant to the provisions of 37 CFR 1.56 and §§1.97-98, enclosed herewith is form PTO/SB/08 (substitute for form 1449A/PTO) listing references which may be material to the examination of this application, and with respect to which there may be a duty to disclose. The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no

In re Leavy, et al.  
US App. No. 10/087,000

other material information exists, and shall not be construed as an admission against interest in any manner.

A copy of each listed reference is enclosed herewith, unless no such copy is required pursuant to 37 CFR § 1.98(d).

- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. [SERIAL NUMBER], filed on [FILING DATE], and the references cited therein are hereby listed but are not required to be provided in this application under 37 CFR § 1.98(d).

Pursuant to 37 CFR §1.97, this Information Disclosure Statement is being submitted under the section indicated below.

- ☐ 37 CFR §1.97(b).
- ☒ 37 CFR §1.97(c). If so, then either:
- ☒ Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
- ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
- ☒ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application

or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56 (c) more than three months prior to the filing of this Statement.

OR

- ☐ Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).
- ☐ 37 CFR § 1.97(d). If so, then both:
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
    - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement.

AND

☐ Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).

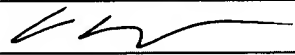
Consideration of the listed references and favorable action are respectfully solicited.

Respectfully submitted,  
Penny C. Leavy, et al.

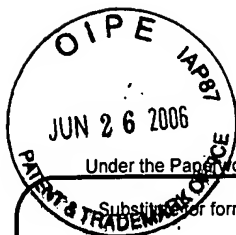
Dated: June 23, 2006

By: 

Arnold M. deGuzman  
Attorney For Applicant(s)  
Reg. No. 39,955  
DeGuzman & Associates, PC  
5276 Hollister Avenue, Suite 160  
Santa Barbara, CA 93111  
Tel.: (805) 681-5078  
Fax: (805) 681-5076

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified herein, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:			
Typed or Printed Name:	Arnold M. deGuzman	Dated:	6/23/2006
Express Mail Mailing Number (optional):			

In re Leavy, et al.  
US App. No. 10/087,000



PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitution of form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/087,000
Filing Date	February 28, 2002
First Named Inventor	Penny C. Leavy
Art Unit	2113
Examiner Name	Philip A. Guyton
Attorney Docket Number	10009.000110

Sheet 1 of 1

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1H	US- 5,072,447	12-10-1991	Perloff, et al.	
	1I	US- 5,440,723	08-08-1995	Arnoldi, et al.	
	1J	US- 5,485,409	01-16-1996	Gupta, et al.	
	1K	US- 5,892,903	04-06-1999	C. Klaus	
	2A	US- 6,487,666 B1	11-26-2002	Shanklin, et al.	
	2B	US- 6,560,720 B1	05-06-2003	Chirashnya, et al.	
	2C	US- 6,574,737 B1	06-03-2003	Kingsford, et al.	
	2D	US- 6,609,205 B1	08-19-2003	Bernhard, et al.	
	2E	US- 6,654,914 B1	11-25-2003	Kafine, et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)				

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/087,000
Filing Date	February 28, 2002
First Named Inventor	Penny C. Leavy
Art Unit	2113
Examiner Name	Philip A. Guyton
Attorney Docket Number	10009.000110

Sheet 1 of 1

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1Q	"An Automated Approach for Identifying Potential Vulnerabilities in Software" by A. K. Ghosh, et al. Proc. of IEEE Symp. on Sec. and Privacy. May 3-6, 1998. pages 104-114	
	1R	"Towards Analysing Security-Critical Software During Development", by A. K. Ghosh, et al. Technical Report RSTR-96-023-01, RST Corporation, December 1996. Total pages: 14	
	1S	"An Approach for Certifying Security in Software Components", by A.K. Ghosh, et al. Proc. 21st NIST-NCSC National Info. Systems Conf., Oct. 6-9, 1998. Total pages: 7	
	1T	"Vulnerability Testing of Software System Using Fault Injection" by W. Du, et al. Tech. Report Coast TR98-02, Dept. of Comp. Science, Purdue Univ., 1998. Total pages: 20	
	1U	"NT Web Technology Vulnerabilities", rain.forest.puppy, Phrack Magazine, Vol. 8, Iss. 54, Dec. 25, 1998. Article 8 of 12. Total pages: 8	
	1V	"Program-Probe Web for Insecure Perl Installations", perl-cgi_pl.txt, March 28, 1996. Total pages: 3	
	1W	"Program-CgiScan v 1.5", cgiscan_c.txt, Feb. 1999. Total pages: 3	
	1X	"SPHINX: A Framework for Creating Personal, Site-Specific Web Crawlers" by R. Miller, et al. April 1998. [webpages] [online]. Retrieved on 3/23/2006. Retrieved from the internet: <a href="http://www.cs.cmu.edu/~rcm/papers/www7/www7.html">http://www.cs.cmu.edu/~rcm/papers/www7/www7.html</a> . Total pages: 14	
	1Y	"The World Wide Web Security FAQ version 1.9.0" by L. Stein. June 30, 1998. [webpages] [online]. Retrieved on 3/20/2006. Retrieved from the internet: <a href="file:///C:/work/Cenzic/www-security-faq.html">file:///C:/work/Cenzic/www-security-faq.html</a> . Total pages: 4	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.